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10/616,182	07/08/2003	Roy D. Youngman	366-001U	1129
23429 7590 12/03/2008 GREGORY SMITH & ASSOCIATES 3900 NEWPARK MALL ROAD, 3RD FLOOR NEWARK, CA 94560				
EXAMINER				
FERTIG, BRIAN E				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/616,182

**Applicant(s)**

YOUNGMAN ET AL.

**Examiner**

BRIAN FERTIG

**Art Unit**

3694

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 24 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-66 and 68 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-66 and 68 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-66 and 68 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 5,754,981 to Veeneman (Veeneman).

With respect to claim 1

Veeneman teaches:

A system for the presentation of specific marketing presentations to customers in a retail environment, comprising:

an electronic display device providing at least one electronic presentation to a customer in said retail environment (i.e. printer or monitor, see col 4, lines 16,43-59 and fig 11);

wherein said customer selects a product item based upon said presentation for purchase (see col 2, lines 56-64, note that the a second user accesses the information for the possible purchase of gifts for the first user)

a processing system providing said electronic presentation for said electronic display device (i.e. computer mechanism, see col 4, lines 16-24 and figs 1-3);

means for said processing system to electronically deliver said electronic presentation to said electronic display device (see col 4, lines 56-59, note that screens appear on the monitor); and

means for selecting a presentation (screens) from at least two presentations based upon the unique interests and needs of said customer to make available said electronic presentation to said processing system (see col 11, lines 14-45, note that a plurality of screens are available to user and are displayed in response to user choosing a particular option via touch screen).

With respect to claim 2

Veeneman teaches:

The system of claim 1 (see rejection of claim 1 above), wherein said electronic display device has at least one screen area that can be used for information associated with a product purchasing transaction (see col 13, lines 36-41, and fig 10D).

With respect to claim 3

Veeneman teaches:

The system of claim 1 (see rejection of claim 1 above), further comprising: means for a Point of Sale Terminal to communicate price information about at least one product being purchased to said system (see col 13, lines 36-41, note that gifts are displayed by price min/max or range).

With respect to claim 4

Veeneman teaches:

The system of claim 1 (see rejection of claim 1 above), further comprising: means for said customer identifying themselves to said system as an identified customer (see col 11, lines 34-46, note that the customer provides information to identify themselves as a customer previously identified by entities other than the system by the information they provide, see also col 12, lines 28-35 teaching returning customers updating their registration, see also col 13, lines 9-30, note that the user identifies himself as one interested in viewing a particular couple's registry).

With respect to claim 5

Veeneman teaches:

The system of claim 4 (see rejection of claim 4 above), wherein said electronic presentation includes at least one customized electronic presentation based upon said identified customer and based on at least one targeted campaign objective (see col 12, lines 28-35, 47-50, note that this teaches the previously registered couples making changes to the items in their registry. Note that the campaign objective of the store is, implicitly, to provide the list in the hope of selling products. See also col 13, lines 36-41, note the presentation is based upon the customer having identified himself as one interested in viewing a particular couple's registry and the campaign objective of the store is, implicitly, to provide the list in the hope of selling products).

With respect to claim 6

Veeneman teaches:

The system of claim 4 (see rejection of claim 4 above), further comprising at least one member of the collection comprising:

means for said identified customer interacting with said electronic presentation to create at least one customer interaction (i.e. touch screen, scanning mechanism, or card reader, see col 4, lines 1-15 and lines 43-47 );

means for generating electronic or printed messages initiated by said customer interactions (i.e. printer or monitor, see col 4, lines 16,43-47,);

means for logging said customer interaction to provide later desirable information regarding said identified customer (i.e. printer or computer mechanism, see col 4, lines 16, note that printer prints gift lists and that computer mechanism stores gift list information, which can be later retrieved to be viewed, edited, or printed);

means for logging at least one of said products purchased by said identified customer to provide later desirable information to said customer (i.e. scanning mechanism, see col 4, line 1, note this mechanism is used to identify gift items for purchase and by the store clerk checking items for purchase).

With respect to claim 7

Veeneman teaches:

The system of claim 1 (see rejection of claim 1 above), further comprising at least one member of the collection comprising: means for said customer interacting with said electronic presentation to create at least one customer interaction (i.e. touch screen, see col 4, line 46); means for generating electronic or printed messages initiated by said customer interactions (i.e. monitor or printer, see col 4, line 16,46).

With respect to claim 8

Veeneman teaches:

The system of claim 7 (see rejection of claim 7 above), further comprising: means for logging said customer interaction to provide later desirable information regarding said customer (i.e. printer or computer mechanism, see col 4, lines 16, note that printer prints gift lists and that computer mechanism stores gift list information, which can be later retrieved to be viewed, edited, or printed).

With respect to claim 9

Veeneman teaches:

The system of claim 1 (see rejection of claim 1 above), wherein said presentation is customized by information previously stored about at least one product purchased by said customer (see col 10, lines 18-25, note that the registry is updated to indicate received items).

With respect to claim 10

Veeneman teaches:

The system of claim 1 (see rejection of claim 1 above), further comprising:  
means for a Point of Sale Terminal to communicate a unique product  
identification code to said system (i.e. scanning mechanism, see col 4, line  
1, note that the mechanism is used to communicate the unique product  
identification code of the desired/purchased item to the system).

With respect to claim 11

Veeneman teaches:

The system of claim 10 (see rejection of claim 10 above), further  
comprising: means for logging at least one of said products purchased by  
said customer to provide later desirable information to said customer (see  
col 10, lines 18-25, note that the registry is updated to indicate received  
items).

With respect to claim 12

Veeneman teaches:

The system of claim 11 (see rejection of claim 11 above), wherein said  
presentation is customized by information previously stored about said  
customer (i.e. screen, see col 13, lines 36-41, and fig 10D, note screen is  
customized based upon information identifying customer as associated  
with particular wedding couple, also customized based upon which  
category of gifts selected).

With respect to claim 13

Veeneman teaches:

The system of claim 1 (see rejection of claim 1 above), further comprising a means for a first function to create at least one of said presentations used by said means for selecting of claim 1 (i.e. structure implied by box 112, 114, 116, see col 9, line 60-col 10, line 10 and fig 7).

With respect to claim 14

Veeneman teaches:

The system of claim 1 (see rejection of claim 1 above), further comprising means for a second function that creates at least one cluster (i.e. means implied by: gift items for a particular category) that specifies demographics (price range of gifts); wherein said customer of claim 1 has at least one of said demographics (desired price range of gift); and wherein said means for selecting further includes means for selecting said presentation based upon said demographics of said customer matching said demographics of at least one of said clusters (selecting desired price range of gifts, see col 13, lines 36-50 and fig 10D).

With respect to claim 15

Veeneman teaches:

The system of claim 14 (see rejection of claim 14 above), wherein said cluster is derived by information previously stored about said customer (see col 13, lines 37-50 and fig 10D, note that consumer selects from a list

of various classifications of gifts, customers stored choice -i.e. price range- is used to derive the cluster information -i.e. price ranges).

With respect to claim 16

Veeneman teaches:

The system of claim 14, wherein said cluster is derived by information previously stored about at least one product purchased by said customer (see col 13, lines 37-50 and fig 10D, note that the gift items from a particular category include the number already purchased).

With respect to claim 17

Veeneman teaches:

The system of claim 1 (see rejection of claim 1 above), further comprising: means for said customer to interact with a purchasing transaction (i.e. touch screen, scanning mechanism, see col 4, lines 1, 46, note that customers use the touch screen to interact with the system to edit, view, and print the registry list which is a part of the purchase transaction in that it helps identified the desired items. Further, the scanning mechanism is used to identify items to populate the registry list, which is a part of the purchase transaction).

With respect to claim 18

Veeneman teaches:

The system of claim 1 (see rejection of claim 1 above), further comprising: means for said customer to interact with a payment transaction (i.e. touch

screen, scanning mechanism, see col 4, lines 1, 46, note that customers use the touch screen to interact with the system to edit, view, and print the registry list which is a part of the purchase transaction in that it helps identified the desired items. Further, the scanning mechanism is used to identify items to populate the registry list, which is a part of the purchase transaction. Note that the purchase transaction culminates in the payment transaction).

With respect to claim 19

Veeneman teaches:

A method for the presentation of specific marketing presentations to customers in a retail environment, comprising the steps of:

providing at least one electronic presentation to a customer by an electronic display device in said retail environment (i.e. displaying screens via monitor or printer, see col 4, line 16,46, col 11 lines 14-20);

wherein said customer selects a product item based upon said electronic presentation for purchase (see col 2, lines 56-64, note that the a second user accesses the information for the possible purchase of gifts for the first user);

providing said electronic presentation for said electronic display device by a processing system (i.e. screens processed by computer mechanism, see col 4, line 34);

electronically delivering said electronic presentation to said electronic display device from said processing system (i.e. displaying or printing screens, see col 4 line 62-63, col 11, lines 14-20); and

selecting a presentation from at least two presentations based upon the unique interests and needs of said customer to make available as said electronic presentation to said processing system (see col 11, lines 14-45, note that a plurality of screens are available to user and are displayed in response to user choosing a particular option via touch screen).

With respect to claim 20

Veeneman teaches:

The method of claim 19 (see rejection of claim 19 above), wherein said electronic display device has at least one screen area that can be used for information associated with a product purchasing transaction (see col 13, lines 36-41, and fig 10D).

With respect to claim 21

Veeneman teaches:

The method of claim 19 (see rejection of claim 19 above), further comprising the step of: a Point of Sale Terminal communicating price information about at least one product being purchased to said system

(see col 13, lines 36-41, note that gifts are displayed by price min/max or range).

With respect to claim 22

Veeneman teaches:

The method of claim 19 (see rejection of claim 19 above), further comprising the step of: said customer identifying themselves as an identified customer (see col 11, lines 34-46, note that the customer provides information to identify themselves as a customer previously identified by entities other than the system by the information they provide, see also col 12, lines 28-35 teaching returning customers updating their registration, see also col 13, lines 9-30, note that the user identifies himself as one interested in viewing a particular couple's registry).

With respect to claim 23

Veeneman teaches:

The method of claim 22 (see rejection of claim 22 above), wherein said electronic presentation includes at least one customized electronic presentation based upon said identified customer and based on at least one targeted campaign objectives (see col 12, lines 28-35, 47-50, note that this teaches the previously registered couples making changes to the items in their registry. Note that the campaign objective of the store is, implicitly, to provide the list in the hope of selling products. See also col 13, lines 36-41, note the presentation is based upon the customer having

identified himself as one interested in viewing a particular couple's registry and the campaign objective of the store is, implicitly, to provide the list in the hope of selling products).

With respect to claim 24

Veeneman teaches:

The method of claim 19 (see rejection of claim 19 above), further comprising the step of: said customer interacting with said electronic presentation to create at least one customer interaction (see col 11, lines 14-45, note that a user chooses a particular option via touch screen).

With respect to claim 25

Veeneman teaches:

The method of claim 24 (see rejection of claim 24 above), further comprising the step of: generating electronic or printed messages initiated by said customer interaction (i.e. displaying or printing screens, see col 4, line 62, col 11, lines 14-20).

With respect to claim 26

Veeneman teaches:

The method of claim 24 (see rejection of claim 24 above), further comprising the step of: logging said customer interaction to later provide desirable information regarding said customer (i.e. printing screens, see col 4, line 62 or scanning items or storing selection in computer mechanism, see col 4, lines 1-15).

With respect to claim 27

Veeneman teaches:

The method of claim 24, wherein said customer interaction is produced by said method. (see col 11, lines 14-19, note the customer interaction).

With respect to claim 28

Veeneman teaches:

The method of claim 19 (see rejection of claim 19 above), further comprising the step of: a Point of Sale Terminal communicating a unique product identification code to said system (i.e. scanning mechanism, see col 4, line 1, note that the mechanism is used to communicate the unique product identification code of the desired/purchased item to the system).

With respect to claim 29

Veeneman teaches:

The method of claim 28 (see rejection of claim 28 above), further comprising the step of: logging at least one of said products purchased by said customer to later provide information regarding said customer (i.e. using scanning mechanism, see col 4, lines 1-15 or update information in gift registry col 10, lines 18-38).

With respect to claim 30

Veeneman teaches:

The method of claim 29, wherein information regarding said consumer is produced by said method (see col 10, lines 18-38).

With respect to claim 31

Veeneman teaches:

The method of claim 19, further comprising the step of making said presentations, comprising the step of: a first function creating at least one of said presentations (i.e. box 112, 114, 116, see col 9, line 60-col 10, line10 and fig 7, col 11, lines 14-19).

With respect to claim 32

Veeneman teaches:

The method of claim 31 (see rejection of claim 31 above), wherein the step of said first function further comprising the step of: customizing said presentation by information previously stored about said customer (i.e. displaying list of items based upon users choice of classification, see col 13, lines 42-50).

With respect to claim 33

Veeneman teaches:

The method of claim 31 (see rejection of claim 31 above), wherein the step of said first function further comprising the step of: customizing said presentation by information previously stored about at least one product purchased by said customer (see col 13, lines 37-50 and fig 10D, note that the gift items from a particular category include the number already purchased).

With respect to claim 34

Veeneman teaches:

The method of claim 19, further comprising the step of creating demographics of said customer, comprising the step of a second function creating at least one cluster (i.e. gift items for a particular category) that specifies said demographics (i.e. price range of gifts); wherein said customer has at least one of said demographics (i.e. desired price range of gift); and wherein the step selecting further includes the step of: selecting said presentation based upon said demographics of said customer matching said demographics of at least one of said clusters (i.e. selecting desired price range of gifts, see col 13, lines 36-50 and fig 10D).

With respect to claim 35

Veeneman teaches:

The method of claim 34 (see rejection of claim 34 above), wherein said cluster is derived by information previously stored about said customer (see col 13, lines 37-50 and fig 10D, note that consumer selects from a list of various classifications of gifts, customers stored choice -i.e. price range- is used to derive the cluster information -i.e. price ranges).

With respect to claim 36

Veeneman teaches:

The method of claim 34 (see rejection of claim 34 above), wherein said cluster is derived by information previously stored about at least one product purchased by said customer (see col 13, lines 37-50 and fig 10D,

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note that the gift items from a particular category include the number already purchased).

With respect to claim 37

Veeneman teaches:

The method of claim 19 (see rejection of claim 19 above), further comprising the step of: said customer interacting with a purchasing transaction (see col 13, lines 10-50, note that customers use the touch screen to interact with the system to edit, view, and print the registry list which is a part of the purchase transaction in that it helps identified the desired items. Further, the scanning mechanism is used to identify items to populate the registry list, which is a part of the purchase transaction).

With respect to claim 38

Veeneman teaches:

The method of claim 19 (see rejection of claim 19 above), further comprising the step of: said customer interacting with a payment transaction (see col 13, lines 10-50, note that customers use the touch screen to interact with the system to edit, view, and print the registry list which is a part of the purchase transaction, which culminates in a purchase transaction. Further, the scanning mechanism is used to identify items to populate the registry list, which is a part of the purchase transaction, which culminates in a payment transaction).

With respect to claim 39

Veeneman teaches:

The method of claim 19, wherein said electronic presentation provided by said electronic display device to said customer in said retail environment, is produced by said method. (i.e. screens, see col 11, lines 14-45)

With respect to claim 40

Veeneman teaches:

The method of claim 19, wherein said presentation made available as said electronic presentation to said processing system, is produced by said method (i.e. screens, see col 11, lines 14-45).

With respect to claim 41

Veeneman teaches:

An electronic display device comprising means for providing an electronic presentation to a customer in a retail environment for said customer to select at least one product item based upon said electronic presentation for purchase (i.e. apparatus of fig 1, see also col 2, lines 56-64, note that the a second user accesses the information for the possible purchase of gifts for the first user),

said electronic display device receiving said electronic presentation from among at least two presentations based upon the unique interests and needs of said customer (see fig 10A-10C and corresponding sections of the specification, note the series of screen images).

With respect to claim 42

Veeneman teaches:

A method of using a Customer Interaction Device (CID) by a customer, including the steps of:

providing said customer at least one electronic presentation on said CID in a retail environment (i.e. screen, see col 13, lines 36-41, and fig 10D);

wherein said electronic presentation is based upon the unique interests and needs of said customer (i.e. based upon interest and need to identify desired gifts from a gift registry by price range or some other classification, see col 13, lines 36-50);

said customer viewing said electronic presentation on said CID (i.e. viewing on gift registry apparatus, see col 13, lines 9-41);

said customer selecting at least one new product item based upon said electronic presentation to create a selected new product item at some point in time (i.e. selecting an item from the registry, see col 13, lines 45-50 or selecting an item to update its status within the registry, see col 12, lines 43-60); and

said customer paying for said selected new product item to create a revenue (see col 10, lines 30-32).

With respect to claim 43

Veeneman teaches:

The method of claim 42, wherein said selected new product item is produced by said method (i.e. purchased item, see col 10, lines 30-32).

With respect to claim 44

Veeneman teaches:

The method of claim 42, wherein said revenue is produced by said method (i.e. revenue implied by purchase, see col 10, lines 30-32).

With respect to claim 45

Veeneman teaches:

The method of claim 42 (see rejection of claim 42 above), wherein said electronic display device has at least one screen area that can be used for information associated with a product purchasing transaction (see col 10, lines 18-25, note that the registry is updated to indicate received items).

With respect to claim 46

Veeneman teaches:

The method of claim 42 (see rejection of claim 42 above), further comprising the step of: said customer identifying themselves as an identified customer (see col 11, lines 34-46, note that the customer provides information to identify themselves as a customer previously identified by entities other than the system by the information they provide, see also col 12, lines 28-35 teaching returning customers updating their registration, see also col 13, lines 9-30, note that the user identifies himself as one interested in viewing a particular couple's registry).

With respect to claim 47

Veeneman teaches:

The method of claim 46 (see rejection of claim 46 above), wherein said electronic presentation includes at least one customized electronic presentation based upon said identified customer and based on at least one targeted campaign objectives (see col 12, lines 28-35, 47-50, note that this teaches the previously registered couples making changes to the items in their registry. Note that the campaign objective of the store is, implicitly, to provide the list in the hope of selling products. See also col 13, lines 36-41, note the presentation is based upon the customer having identified himself as one interested in viewing a particular couple's registry and the campaign objective of the store is, implicitly, to provide the list in the hope of selling products).

With respect to claim 48

Veeneman teaches:

The method of claim 42 (see rejection of claim 42 above), further comprising the step of: said customer interacting with said electronic presentation to create at least one customer interaction (see col 11, lines 14-45, note that a user chooses a particular option via touch screen).

With respect to claim 49

Veeneman teaches:

The method of claim 48 (see rejection of claim 48 above), further comprising the step of: generating electronic or printed messages initiated by said customer interaction (i.e. displaying or printing screens, see col 4, line 62, col 11, lines 14-20).

With respect to claim 50

Veeneman teaches:

The method of claim 48 (see rejection of claim 48 above), further comprising the step of: logging said customer interaction to later provide desirable information regarding said customer (i.e. printing screens, see col 4, line 62 or scanning items or storing selection in computer mechanism, see col 4, lines 1-15).

With respect to claim 51

Veeneman teaches:

The method of claim 48, wherein said customer interaction, is produced by said method (see col 11, lines 14-45, note that a user chooses a particular option via touch screen).

With respect to claim 52

Veeneman teaches:

The method of claim 42 (see rejection of claim 42 above), further comprising the step of: a Point of Sale Terminal communicating a unique product identification code to said system (i.e. scanning mechanism, see

col 4, line 1, note that the mechanism is used to communicate the unique product identification code of the desired/purchased item to the system).

With respect to claim 53

Veeneman teaches:

The method of claim 52 (see rejection of claim 52 above), further comprising the step of: logging at least one of said products purchased by said customer to later provide information regarding said customer (i.e. using scanning mechanism, see col 4, lines 1-15 or update information in gift registry col 10, lines 18-38).

With respect to claim 54

Veeneman teaches:

The method of claim 53, wherein said information regarding said customer is produced by said method (i.e. record of items purchases, see col 19, lines 18-38).

With respect to claim 55

Veeneman teaches:

The method of claim 42, further comprising the step of making at least one of said presentations, comprising the step of: a first function creating at least one of said presentations (i.e. box 112, 114, 116, see col 9, line 60- col 10, line 10 and fig 7).

With respect to claim 56

Veeneman teaches:

The method of claim 55 (see rejection of claim 55 above), wherein the step of said first function further comprising the step of: customizing said presentation by information previously stored about said customer (i.e. displaying list of items based upon users choice of classification, see col 13, lines 42-50).

With respect to claim 57

Veeneman teaches:

The method of claim 55 (see rejection of claim 55 above), wherein the step of said first function further comprising the step of: customizing said presentation by information previously stored about at least one product purchased by said customer (see col 13, lines 37-50 and fig 10D, note that the gift items from a particular category include the number already purchased).

With respect to claim 58

Veeneman teaches:

The method of claim 55, wherein said presentation created by said first function, is produced by said method (i.e. screen, see col 13, lines 36-41, and fig 10D).

With respect to claim 59

Veeneman teaches:

The method of claim 42, further comprising the step of: a second function creating at least one cluster that specifies demographics (i.e. price range

of gifts); wherein said customer has at least one of said demographics (i.e. desired price range of gift); and wherein the step providing said customer with said presentation further includes the step of selecting said presentation based upon said demographics of said customer matching said demographics of at least one of said clusters (i.e. selecting desired price range of gifts, see col 13, lines 36-50 and fig 10D).

With respect to claim 60

Veeneman teaches:

The method of claim 59, wherein the step of said second function, further comprising the step of: deriving said cluster by information previously stored about said customer (see col 13, lines 37-50 and fig 10D, note that consumer selects from a list of various classifications of gifts, customers stored choice -i.e. price range- is used to derive the cluster information - i.e. price ranges).

With respect to claim 61

Veeneman teaches:

The method of claim 59, wherein the step of said second function, further comprising the step of: deriving said cluster by information previously stored about at least one product purchased by said customer (see col 13, lines 37-50 and fig 10D, note that the gift items from a particular category include the number already purchased).

With respect to claim 62

Veeneman teaches:

The method of claim 59, wherein said cluster created by said second function is produced by said method (i.e. gift items for the particular category specified).

With respect to claim 63

Veenaman teaches:

The method of claim 42 (see rejection of claim 42 above), further comprising the step of: said customer interacting with a purchasing transaction (see col 13, lines 10-50, note that customers use the touch screen to interact with the system to edit, view, and print the registry list which is a part of the purchase transaction in that it helps identified the desired items. Further, the scanning mechanism is used to identify items to populate the registry list, which is a part of the purchase transaction).

With respect to claim 64

Veeneman teaches:

The method of claim 42 (see rejection of claim 42 above), further comprising the step of: said customer interacting with a payment transaction (see col 13, lines 10-50, note that customers use the touch screen to interact with the system to edit, view, and print the registry list which is a part of the purchase transaction which culminates in a payment transaction. Further, the scanning mechanism is used to identify items to

populate the registry list, which is a part of the purchase transaction with culminates in a payment transaction).

With respect to claim 65

Veeneman teaches:

The method of claim 42, wherein said electronic presentation provided by said electronic display device to said customer in said retail environment, is produced by said method (i.e. screen, see col 13, lines 36-50, and fig 10D).

With respect to claim 66

Veenaman teaches:

The method of claim 42, wherein said presentation made available as said electronic presentation to said processing system, is produced said method (i.e. screen, see col 13, lines 36-50, and fig 10D).

With respect to claim 68

Veeneman teaches:

A program system comprising of at least one program step residing in a accessibly coupled to a computer wherein said program system further comprises a least one of the program steps of:

Providing a customer at least one electronic presentation on a Customer Interaction Device (CID) in a retail environment (see Fig 10A-E, note the various screens );

Detecting said customer selecting at least one new product item based upon said electronic presentation to create a selected new product item; and

Supporting said customer paying for said selected new product item to create a revenue. (see col 2, lines 56-64, note that the a second user accesses the information for the possible purchase of gifts for the first user).

### ***Response to Arguments***

3. Applicant's arguments filed 7/24/2008 have been fully considered but they are not persuasive. With respect to Applicant's arguments that Veeneman teaches a gift registry that is not intended to aid the user in buying anything themselves, Examiner respectfully notes that the claims do not positively recite such a limitation. Claims 1 and 19, for example, recites only that "said customer selects a product item based on said electronic presentation for a purchase", but does not go so far as to claim that said customer effects the purchase. Veeneman, thus teaches this more broad reading of the limitation in so far as a registering user following the various screens, particularly those directing him in the use/reservation of the bar code scanner (see col 14, lines 4-30) and proceeds to scan items thus making them available for purchase (see, at least, col 2, line56-64). Examiner further notes that the rejection are made under 35 USC 102 (anticipation) and not 35 USC 103 (obviousness).

Claim 41, Examiner respectfully observes, contains the addition limitation of "said electronic display device receiving said electronic presentation from at least two

presentations based upon the unique interest and needs of said consumer. Veeneman teaches this limitation in, at least, fig 10A-10G. Applicant is respectfully directed to the series of screens among which the users choose based upon their interests and needs (i.e. logging into their registry, choosing the particular functions they wish to perform with the system, etc). Note that the hierarchy of screens is nested at least two deep, thus teaching the at least two presentations limitation.

With respect to claim 42 and 68, Examiner respectfully observes that the discussion above similarly addresses the express arguments Applicant makes directed to the proposed failings of Veenemam.

Applicant is respectfully encouraged to consider the breadth of the current claim language in so far as the Examiner is able to establish a *prima facie* case based on a gift registry which Applicant argues (implicitly) is very different from the present invention. Examiner acknowledges that support for a differentiation from Veeneman exists within the Specification, but also respectfully points out that these features fail to be positively and narrowly recited in the claims. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Examiner also respectfully notes the addition references cited by Applicant in the IDSs of 1/22/2004 and 4/5/2004, and respectfully encourages Applicant to consider future claim amendments so as to clearly differentiate from these references.

***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

5. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **BRIAN FERTIG** whose telephone number is (571)270-5131. The examiner can normally be reached on **Monday - Friday 8:30am to 5:00pm EST**. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/B.F./

/Mary Cheung/  
Primary Examiner, Art Unit 3694